



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pat nt Examining Op rations



27162

PATENT TRADEMARK OFFICE

Applicant(s): Burnside, et al.

Serial No: 10/027,349

Art Unit: 1614

Filed: December 20, 2001

Examiner: Unassigned

Title: Sustained Release Pharmaceutical Dosage Forms With Minimized pH Dependent Dissolution Profiles

Docket No.: 550750-200

Customer No.: 27162
RECEIVED
SEP 27 2002
OFFICE OF PETITIONS

TRANSMITTAL LETTER

Commissioner for Patents and Trademarks
Washington, D.C. 20231

SIR:

Enclosed please find the following:

1. Notification of Error in Claiming Small Entity Status Under 37 C.F.R. 1.28(c) (2);
2. Check No. 8581 in the amount of \$792.00; and
3. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Elliot M. Olstein 9/20/02
Elliot M. Olstein, Esq. Date

Respectfully submitted,

Elliot M. Olstein

Elliot M. Olstein, Esq.

Reg. No. 24,025

CARELLA, BYRNE, BAIN, GILFILLAN,
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Patent Examining Operations**

Applicant(s) : Burnside, et al.
Serial No. : 10/027,349
Filed : December 20, 2001
Title : Sustained Release Pharmaceutical Dosage Forms
With Minimized pH Dependent Dissolution Profiles
Docket No. : 550750-200

Office of Special Program Examination
Office of the Assistant Commissioner of Patents
Washington, D.C. 20231

RECEIVED
SEP 27 2002
OFFICE OF PETITIONS

NOTIFICATION OF ERROR
IN CLAIMING SMALL ENTITY STATUS UNDER 37 C.F.R. 1.28(c) (2)

Dear Sir:

Please be advised that the assignee erroneously, but in good faith, claimed small entity status with respect to the above-referenced application such that the filing, and issue fees and extra claim fees were accordingly paid under this mistaken belief. The assignee lost small entity status in December 1999, but inadvertently continued to pay small entity fees subsequent to such date.

Applicants respectfully request that the United States Patent and Trademark Office note this change in status and accept the enclosed payment for any deficiency in the filing fees pursuant to 37 C.F.R. 1.28 (c) (2).

Accordingly, please find enclosed our check in the amount of \$792.00 to cover any deficiency between the amount paid claiming small entity status and the amount actually presently due as calculated pursuant to the following:



FEES PRESENTLY DUE

Filing Fee	\$1,454.00
Filing of Missing Parts.....	<u>\$ 130.00</u>
Subtotal	\$1,584.00
Filing Fee	\$ 727.00
Filing of Missing Parts.....	<u>\$ 65.00</u>
Subtotal	<u>\$ 792.00</u>
Total Amount Due.....	<u>\$ 792.00</u>

If there are any ADDITIONAL FEES, kindly charge or credit any overpayment to
Deposit Account No. 03-0678.

Respectfully submitted,

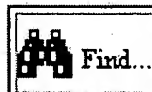
Elliot M. Olstein
Registration No. 24,025
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6 Becker Farm Road
Roseland, NJ 07068-1739
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Attorney for the Applicants

Transaction List

Search by

☐ Accounting Date: Operator ID:
(MMDDYY)

Accounting Date



☒ Nam /Number:

Starts:

Ends:

☐ Attny Docket No:

☐ Deposit Account No.:

Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
03/08/2002	TDIAZ1	15	SALE	581	A	40.00	10027349	
03/01/2002	MBERHE	96	SALE	205	A	65.00	10027349	
12/31/2001	GGEBREGI	63	SALE	202	A	168.00	10027349	
12/31/2001	GGEBREGI	62	SALE	203	A	189.00	10027349	
12/31/2001	GGEBREGI	61	SALE	201	A	370.00	10027349	



Adjustment Detail

Authorization Detail



Adjustment date: 09/27/2002 AHONDAF1
12/31/2001 GGEBREGI 00000030 10027349
01 FC:201 -370.00 OP
02 FC:203 -189.00 OP
03 FC:202 -168.00 OP

Adjustment date: 09/27/2002 AHONDAF1
03/01/2002 HBERHE 00000058 10027349
01 FC:205 -65.00 OP

09/27/2002 AHONDAF1 00000040 10027349

01 FC:101 740.00 OP
02 FC:105 130.00 OP
03 FC:102 336.00 OP
04 FC:103 378.00 OP